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EXAMINER	
FOX, JAMAL A	

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/044,164	FOSTER ET AL.	
	Examiner	Art Unit	
	Jamal A. Fox	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 December 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *16,17,28-42,44-53,55 and 56* is/are pending in the application.

4a) Of the above claim(s) *1-16,27,43 and 54* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *17-26,28-42,44-53,55 and 56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9/16/05 & 12/15/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowable subject matter of claims 28, 44 and 53 is withdrawn in view of the newly discovered reference(s) to Berry. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 17-26, 28-42, 44-53, 55 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horst et al. in view of Berry.

Referring to claim 17, Horst et al. discloses a method in a routing device for controlling access to a network, the method comprising:

receiving a filter (header, Fig. 3B and respective portions of the spec.) for a node, the filter indicating a valid parameter for a communication transmitted by the node through the network;

receiving a communication from the node, the communication having a parameter (priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6);

determining whether the parameter of the received communication is valid (validation, col. 17 line 53 – col. 18 line 10 and validate, col. 18 lines 30-35) based on the received filter (header, Fig. 3B and respective portions of the spec.); and

when it is determined that parameter of the received communication is not valid, suppressing (discard, col. 6 lines 10-16) the transmitting of the received communication, but fails to explicitly teach of wherein the routing device is Fibre Channel compatible. However, Berry discloses the routing device being Fibre Channel compatible (see Fiber Channel, col. 2 lines 20-25 and col. 3 lines 54-56). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Horst et al. the routing device being Fibre Channel compatible of Berry in order to have the capability to link together computers, servers, peripherals, storage devices, and communication devices for communications as suggested by Berry (col. 2 lines 7-12).

Referring to claim 18, Horst et al. discloses the method of claim 17 wherein the parameter is a virtual address (virtual address, col. 18 lines 65-67 and col. 20 lines 55-59) and the filter (header, Fig. 3B and respective portions of the spec.) indicates one or more virtual addresses (virtual address, col. 18 lines 65-67 and col. 20 lines 55-59) that can be validly used in a communication transmitted by the node.

Referring to claim 19, Horst et al. discloses the method of claim 17 wherein the parameter relates to priority (priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6) of a communication and the filter (header, Fig. 3B and respective portions of the

spec.) indicates a priority (priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6) that can be validly used in a communication transmitted to by the node.

Referring to claim 20, Horst et al. discloses the method of claim 17 wherein the parameter relates to class of service (class, col. 39 lines 58-60) of a communication and the filter (header, Fig. 3B and respective portions of the spec.) indicates a class of service (class, col. 39 lines 58-60) that can be validly used in a communication transmitted by the node.

Referring to claim 21, Horst et al. discloses the method of claim 17 wherein the routing device (see Fig. 19A and respective portions of the spec.) has multiple ports, wherein each port is connected to a node, and wherein each port has access to a received filter (header, Fig. 3B and respective portions of the spec.) for the connected to node.

Referring to claim 22, Horst et al. discloses the method of claim 17 wherein the received filter (header, Fig. 3B and respective portions of the spec.) is associated with a destination address assigned to the node and wherein the filter (header, Fig. 3B and respective portions of the spec.) is applied to communications transmitted by the node that have destination address (destination address, col. 6 lines 1-16).

Referring to claim 23, Horst et al. discloses the method of claim 17 including notifying a network manager when the transmitting of a communication is suppressed (discard, col. 6 lines 10-16).

Referring to claim 24, Horst et al. discloses the method of claim 17 wherein the filter (header, Fig. 3B and respective portions of the spec.) is received from a network manager.

Referring to claim 25, Horst et al. discloses the method of claim 17 wherein the filter (header, Fig. 3B and respective portions of the spec.) is received from the network manager based on registration (initialization, col. 65 lines 45-52) of the node.

Referring to claim 26, Horst et al. discloses the method of claim 17 wherein the routing device is a switch (Fig. 19A and respective portions of the spec.).

Referring to claim 28, Horst et al. discloses the method of claim 17, but fails to explicitly teach of the routing device being changed from Fibre Channel compatible to InfiniBand compatible. However, Berry discloses the routing device being Fibre Channel compatible (see Fiber Channel, col. 2 lines 20-25 and col. 3 lines 54-56) and InfiniBand compatible (see col. 2 lines 15-20 and col. 3 lines 57-65). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Horst et al. the routing device being changed from Fibre Channel compatible to InfiniBand compatible of Berry because the host channel adapter and the target channel adapters which are implemented in an Infiniband architecture provide an interface between the switched fabric and the I/O controller or Fibre Channel Network as suggested by Berry (col. 3 lines 45-67).

Referring to claim 29, Horst et al. discloses a routing device for controlling access to a network, comprising:

a component having a filter (header, Fig. 3B and respective portions of the spec.) for a node, the filter (header, Fig. 3B and respective portions of the spec.) indicating valid parameters for communications transmitted by the node through the network;

a component that receives communications from the node, the communications having parameters (priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6);

a component that applies the filter to the communications to determining whether the parameters of the received communications are valid (validation, col. 17 line 53 – col. 18 line 10 and validate, col. 18 lines 30-35); and

a component that discards (discard, col. 6 lines 10-16) a received communication when it is determined that a parameter of the received communication is not valid, but fails to explicitly teach of wherein the routing device is Fibre Channel compatible. However, Berry discloses the routing device being Fibre Channel compatible (see Fiber Channel, col. 2 lines 20-25 and col. 3 lines 54-56). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Horst et al. the routing device being Fibre Channel compatible of Berry in order to have the capability to link together computers, servers, peripherals, storage devices, and communication devices for communications as suggested by Berry (col. 2 lines 7-12).

Referring to claim 30, Horst et al. discloses the routing device of claim 29 wherein a parameter is a virtual address (virtual address, col. 18 lines 65-67 and col. 20 lines 55-59) and the filter (header, Fig. 3B and respective portions of the spec.) indicates one or more virtual address (virtual address, col. 18 lines 65-67 and col. 20

lines 55-59) that can be validly (validation, col. 17 line 53 – col. 18 line 10 and validate, col. 18 lines 30-35) used in a communication transmitted by the node.

Referring to claim 31, Horst et al. discloses the routing device of claim 29 wherein a parameter relates to priority (priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6) of a communication and the filter (header, Fig. 3B and respective portions of the spec.) indicates a priority (priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6) that can be validly (validation, col. 17 line 53 – col. 18 line 10 and validate, col. 18 lines 30-35) used in a communication transmitted by the node.

Referring to claim 32, Horst et al. discloses the routing device of claim 29 wherein a parameter relates to class of service (class, col. 39 lines 58-60) of a communication and the filter (header, Fig. 3B and respective portions of the spec.) indicates a class of service (class, col. 39 lines 58-60) that can be validly (validation, col. 17 line 53 – col. 18 line 10 and validate, col. 18 lines 30-35) used in a communication transmitted by the node.

Referring to claim 33, Horst et al. discloses the routing device of claim 29 wherein the routing device (see Fig. 19A and respective portions of the spec.) has multiple ports connected to nodes and wherein each port has access to a filter (header, Fig. 3B and respective portions of the spec.) for the connected to node.

Referring to claim 34, Horst et al. discloses the routing device of claim 29 wherein the filter (header, Fig. 3B and respective portions of the spec.) is associated with a destination address assigned to the node and wherein the filter (header, Fig. 3B

and respective portions of the spec.) is applied to communications transmitted by the node that have that destination address (destination address, col. 6 lines 1-16).

Referring to claim 35, Horst et al. discloses the routing device of claim 29 including notifying a network manager (CPU, col. 6 lines 1-16) when a communication is discarded (discard, col. 6 lines 10-16).

Referring to claim 36, Horst et al. discloses the routing device of claim 29 wherein the filter (header, Fig. 3B and respective portions of the spec.) is received from a network manager (CPU, col. 6 lines 1-16).

Referring to claim 37, Horst et al. discloses the routing device of claim 36 wherein the filter (header, Fig. 3B and respective portions of the spec.) is received from the network manager (CPU, col. 6 lines 1-16) during registration (initialization, col. 65 lines 45-52) of the node.

Referring to claim 38, Horst et al. discloses the routing device of claim 29 including a component that indicates that the node is not allowed to transmit any communications when it is determined that the parameter (virtual address, col. 18 lines 65-67 and col. 20 lines 55-59; priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6) of a received communication is not valid.

Referring to claim 39, Horst et al. discloses the routing device of claim 29 including when it is determined that the parameter (virtual address, col. 18 lines 65-67 and col. 20 lines 55-59; priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6) of the received communication is not valid, indicating that the node is not allowed to

transmit communications to a destination address (destination address, col. 6 lines 1-16) associated with the received communication.

Referring to claim 40, Horst et al. discloses the routing device of claim 29 including a component that transmits a received communication when it is determined that the parameters (virtual address, col. 18 lines 65-67 and col. 20 lines 55-59; priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6) of the received communication are valid (validation, col. 17 line 53 – col. 18 line 10 and validate, col. 18 lines 30-35).

Referring to claim 41, Horst et al. discloses the routing device of claim 29 including a component that modifies the filter (header, Fig. 3B and respective portions of the spec.) so that the modified filter (header, Fig. 3B and respective portions of the spec.) is applied to subsequent communications received from the node.

Referring to claim 42, Horst et al. discloses the routing device of claim 29, wherein the routing device is a switch (Fig. 19A and respective portions of the spec.).

Referring to claim 44, Horst et al. discloses the routing device of claim 29, but fails to explicitly teach of the routing device being changed from Fibre Channel compatible to InfiniBand compatible. However, Berry discloses the routing device being Fibre Channel compatible (see Fiber Channel, col. 2 lines 20-25 and col. 3 lines 54-56) and InfiniBand compatible (see col. 2 lines 15-20 and col. 3 lines 57-65). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Horst et al. the routing device being changed from Fibre Channel compatible to InfiniBand compatible of Berry because the host channel adapter and the target channel adapters which are implemented in an Infiniband

architecture provide an interface between the switched fabric and the I/O controller or Fibre Channel Network as suggested by Berry (col. 3 lines 45-67).

Referring to claim 45, Horst et al. discloses a routing device for controlling access to a network, comprising:

means for applying a filter (header, Fig. 3B and respective portions of the spec.) to communications received from a node to determining whether parameters of the communications are valid (validation, col. 17 line 53 – col. 18 line 10 and validate, col. 18 lines 30-35);

and

means for discarding (discard, col. 6 lines 10-16) a communication when it is determined that a parameter of the communication is not valid, but fails to explicitly teach of wherein the routing device is Fibre Channel compatible. However, Berry discloses the routing device being Fibre Channel compatible (see Fiber Channel, col. 2 lines 20-25 and col. 3 lines 54-56). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Horst et al. the routing device being Fibre Channel compatible of Berry in order to have the capability to link together computers, servers, peripherals, storage devices, and communication devices for communications as suggested by Berry (col. 2 lines 7-12).

Referring to claim 46, Horst et al. discloses the routing device of claim 35 wherein a parameter is a virtual address (virtual address, col. 18 lines 65-67 and col. 20 lines 55-59) and the filter indicates one or more virtual addresses that can be validly used in a communication transmitted by the node.

Referring to claim 47, Horst et al. discloses the routing device of claim 45 wherein a parameter relates to priority (priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6) of a communication and the filter (header, Fig. 3B and respective portions of the spec.) indicates a priority (priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6) that can be validly (validation, col. 17 line 53 – col. 18 line 10 and validate, col. 18 lines 30-35) used in a communication transmitted by the node.

Referring to claim 48, Horst et al. discloses the routing device of claim 45 wherein a parameter relates to class of service (class, col. 39 lines 58-60) of a communication and the filter (header, Fig. 3B and respective portions of the spec.) indicates a class of service (class, col. 39 lines 58-60) that can be validly used in a communication transmitted by the node.

Referring to claim 49, Horst et al. discloses the routing device of claim 45 wherein the routing device (see Fig. 19A and respective portions of the spec.) has multiple ports connected to nodes and wherein each port has access to a filter (header, Fig. 3B and respective portions of the spec.) for the connected-to node.

Referring to claim 50, Horst et al. discloses the routing device of claim 45 wherein the filter (header, Fig. 3B and respective portions of the spec.) is associated with a destination address assigned to the node and wherein the means for applying the filter applies it to communications transmitted by the node that have that destination address (destination address, col. 6 lines 1-16).

Referring to claim 51, Horst et al. discloses the routing device of claim 45 including a component that transmits a received communication when it is determined

that the parameters (virtual address, col. 18 lines 65-67 and col. 20 lines 55-59; priority, col. 44 lines 10-15 and col. 44 line 59-col. 45 line 6) of the received communication are valid (validation, col. 17 line 53 – col. 18 line 10 and validate, col. 18 lines 30-35).

Referring to claim 52, Horst et al. discloses the routing device of claim 45 wherein the routing device is a switch (Fig. 19A and respective portions of the spec.).

Referring to claim 53, Horst et al. discloses the routing device of claim 45, but fails to explicitly teach of the routing device being changed from Infiniband compatible to Fibre Channel compatible. However, Berry discloses the routing device being Fibre Channel compatible (see Fiber Channel, col. 2 lines 20-25 and col. 3 lines 54-56) and InfiniBand compatible (see col. 2 lines 15-20 and col. 3 lines 57-65). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Horst et al. the routing device being changed from Fibre Channel compatible to InfiniBand compatible of Berry because the host channel adapter and the target channel adapters which are implemented in an Infiniband architecture provide an interface between the switched fabric and the I/O controller or Fibre Channel Network as suggested by Berry (col. 3 lines 45-67).

Referring to claim 55, Horst et al. discloses the routing device of claim 45 includes means for receiving a filter (header, Fig. 3B and respective portions of the spec.) from a network manager (CPU, col. 6 lines 1-16).

Referring to claim 56, Horst et al. discloses the routing device of claim 56 wherein the filter (header, Fig. 3B and respective portions of the spec.) is received during registration (initialization, col. 65 lines 45-52) of the node.

4. Claims 17, 29 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hemmady et al. in view of Berry.

Referring to claim 17, Hemmady et al. discloses a method in a routing device for controlling access to a network, the method comprising:

receiving a filter (header, col. 16 lines 36-46 and col. 41 lines 21-30) for a node, the filter indicating a valid parameter for a communication transmitted by the node through the network.

receiving a communication from the node, the communication having a parameter (virtual address, col. 54 lines 50-65 and col. 55 lines 10-20; priority, col. 3 lines 1-6, col. 6 lines 25-30, col. 8 lines 15-20, col. 26 lines 50-68, col. 27 lines 1-5, col. 27 lines 20-50, col. 28 lines 9-55, col. 30 lines 30-35, col. 40 lines 40-50, col. 46 lines 5-40, col. 58 lines 5-10, col. 69 lines 14-21; class of service, col. 60 lines 19-26);

determining whether the parameter (virtual address, col. 54 lines 50-65 and col. 55 lines 10-20; priority, col. 3 lines 1-6, col. 6 lines 25-30, col. 8 lines 15-20, col. 26 lines 50-68, col. 27 lines 1-5, col. 27 lines 20-50, col. 28 lines 9-55, col. 30 lines 30-35, col. 40 lines 40-50, col. 46 lines 5-40, col. 58 lines 5-10, col. 69 lines 14-21; class of service, col. 60 lines 19-26) of the received communication is valid based on the received filter; and

when it is determined that parameter of the received communication is not valid, suppressing (discard, col. 16 lines 36-46, col. 16 line 64-68, col. 17 lines 48-68 and col. 41 lines 25-30) the transmitting of the received communication, but fails to explicitly teach of wherein the routing device is Fibre Channel compatible. However, Berry

discloses the routing device being Fibre Channel compatible (see Fiber Channel, col. 2 lines 20-25 and col. 3 lines 54-56). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Hemmady et al. the routing device being Fibre Channel compatible of Berry in order to have the capability to link together computers, servers, peripherals, storage devices, and communication devices for communications as suggested by Berry (col. 2 lines 7-12).

Referring to claim 29, Hemmady et al. discloses a routing device for controlling access to a network, comprising:

a component having a filter (header, col. 16 lines 36-46 and col. 41 lines 21-30) for a node, the filter indicating valid parameters (virtual address, col. 54 lines 50-65 and col. 55 lines 10-20; priority, col. 3 lines 1-6, col. 6 lines 25-30, col. 8 lines 15-20, col. 26 lines 50-68, col. 27 lines 1-5, col. 27 lines 20-50, col. 28 lines 9-55, col. 30 lines 30-35, col. 40 lines 40-50, col. 46 lines 5-40, col. 58 lines 5-10, col. 69 lines 14-21; class of service, col. 60 lines 19-26) for communications transmitted by the node through the network;

a component that receives communications from the node, the communications having parameters (virtual address, col. 54 lines 50-65 and col. 55 lines 10-20; priority, col. 3 lines 1-6, col. 6 lines 25-30, col. 8 lines 15-20, col. 26 lines 50-68, col. 27 lines 1-5, col. 27 lines 20-50, col. 28 lines 9-55, col. 30 lines 30-35, col. 40 lines 40-50, col. 46 lines 5-40, col. 58 lines 5-10, col. 69 lines 14-21; class of service, col. 60 lines 19-26);

a component that applies the filter to the communications to determining whether the parameters (virtual address, col. 54 lines 50-65 and col. 55 lines 10-20; priority, col. 3 lines 1-6, col. 6 lines 25-30, col. 8 lines 15-20, col. 26 lines 50-68, col. 27 lines 1-5, col. 27 lines 20-50, col. 28 lines 9-55, col. 30 lines 30-35, col. 40 lines 40-50, col. 46 lines 5-40, col. 58 lines 5-10, col. 69 lines 14-21; class of service, col. 60 lines 19-26) of the received communications are valid;

and

a component that discards (discard, col. 16 lines 36-46, col. 16 line 64-68, col. 17 lines 48-68 and col. 41 lines 25-30) a received communication when it is determined that a parameter of the received communication is not valid, but fails to explicitly teach of wherein the routing device is Fibre Channel compatible. However, Berry discloses the routing device being Fibre Channel compatible (see Fiber Channel, col. 2 lines 20-25 and col. 3 lines 54-56). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Hemmady et al. the routing device being Fibre Channel compatible of Berry in order to have the capability to link together computers, servers, peripherals, storage devices, and communication devices for communications as suggested by Berry (col. 2 lines 7-12).

Referring to claim 45, Hemmady et al. discloses a routing device for controlling access to a network, comprising:

means for applying a filter (header, col. 16 lines 36-46 and col. 41 lines 21-30) to communications received from a node to determining whether parameters of the communications are valid, and

means for discarding (discard, col. 16 lines 36-46, col. 16 line 64-68, col. 17 lines 48-68 and col. 41 lines 25-30) a communication when it is determined that a parameter of the communication is not valid, but fails to explicitly teach of wherein the routing device is Fibre Channel compatible. However, Berry discloses the routing device being Fibre Channel compatible (see Fiber Channel, col. 2 lines 20-25 and col. 3 lines 54-56). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Hemmady et al. the routing device being Fibre Channel compatible of Berry in order to have the capability to link together computers, servers, peripherals, storage devices, and communication devices for communications as suggested by Berry (col. 2 lines 7-12).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 17, 29 and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Canion et al. (U.S. Patent Application Publication No. 2002/0108059).

Referring to claim 17, Canion et al. discloses a method in a routing device for controlling access to a network, the method comprising:

receiving a filter (header, [0188]) for a node, the filter indicating a valid parameter for a communication transmitted by the node through the network;

receiving a communication from the node, the communication having a parameter (HTTP request [0190]);

determining (analyze, [0188]) whether the parameter of the received communication is valid based on the received filter (header, [0188]); and

when it is determined that parameter of the received communication is not valid (known not support specific protocol [0190]), suppressing (discard, [0190]) the transmitting of the received communication; wherein the routing device is Fibre Channel compatible (Fibre channel, [0080], [0131] and [0137]).

Referring to claim 29, Canion et al. discloses a routing device for controlling access to a network, comprising:

a component having a filter (header, [0188]) for a node, the filter (header, [0188]) indicating valid parameters for communications transmitted by the node through the network;

a component that receives communications from the node, the communications having parameters (HTTP request [0190]);

a component that applies the filter to the communications to determining (analyze, [0188]) whether the parameters of the received communications are valid; and

a component that discards (discard, [0190]) a received communication when it is determined that a parameter of the received communication is not valid (known not support specific protocol [0190]); wherein the routing device is Fibre Channel compatible (Fibre channel, [0080], [0131] and [0137]).

Referring to claim 45, Canion et al. discloses a routing device for controlling access to a network, comprising:

means for applying a filter (header, [0188]) to communications received from a node to determining whether parameters (HTTP request [0190]) of the communications are valid;

and

means for discarding (discard, [0190]) a communication when it is determined that a parameter of the communication is not valid (known not support specific protocol [0190]); wherein the routing device is Fibre Channel compatible (Fibre channel, [0080], [0131] and [0137]).

Response to Arguments

7. Applicant's arguments with respect to claims 17-26, 28-42, 44-53, 55 and 56 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. **Any response to this final action should be mailed to:**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-3143. The examiner can normally be reached on 8:30 AM - 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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